

**MOORE COUNTY PLANNING BOARD  
REGULAR MEETING  
THURSDAY, JUNE 2 2016, 6:00 PM  
MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> Floor**

**CALL TO ORDER – 6 PM**

**INVOCATION – (Member Volunteer)**

**PLEDGE OF ALLEGIENCE – (Member Volunteer)**

**MISSION STATEMENT – (Member Volunteer)**

**I. PUBLIC COMMENT PERIOD** (*Procedures are attached*)  
Please sign up on the Public Comment Sign In sheet near the door

**II. APPROVAL OF CONSENT AGENDA**

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of May 5, 2016
- C. Consideration of Abstentions

**III. PUBLIC HEARING**

1. HCE Moore II, LLC is requesting a Conditional Use Permit to construct a commercial Solar Collector Facility on approximately 27.5 acres of an overall approximately 127 acre parcel (ParID 00005347) located at 415 Stage Road, owned by William Richard Pressley as identified in Moore County tax records.

**IV. OTHER BOARD MATTERS**

**V. PLANNING DEPARTMENT REPORTS**

**VI. BOARD COMMENT PERIOD**

**VII. UPCOMING EVENTS**

- Tuesday, June 7, 2016 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Tuesday, June 21, 2016 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- **Thursday, July 7, 2016 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, July 19, 2016 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.

**VIII. ADJOURNMENT**

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is give to the County.*

*Please see attached procedures for the Public Comment Period and public comment during Public Hearing*

## **PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD**

*The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:*

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 1. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 1. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 2. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 3. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 4. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 5. Any applause will be held until the end of the Public Comment Period.*
- 6. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 7. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 8. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

*Adopted on the 4<sup>th</sup> day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board*

## **MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES**

*The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:*

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

*Adopted on the 5<sup>th</sup> day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board*

**MINUTES**  
**MOORE COUNTY PLANNING BOARD**  
**THURSDAY APRIL 7, 6:00 PM**  
**MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**Board Members Present:** Aaron McNeill (Vice Chairman), Buck Mims, Scott McLeod, Bobby Hyman, Joseph Garrison, David Lambert

**Board Members Absent:** Rich Smith (Chair), Eddie Nobles, Gene Horne

**Staff Present:** Debra Ensminger, Planning Director  
Brenda White, Deputy County Attorney  
Theresa Thompson, Senior Planner  
Lydia Cleveland, Administrative and Transportation  
Program Manager

**CALL TO ORDER**

Vice Chairman Aaron McNeill called the meeting to order.

**INVOCATION**

Board Member Bobby Hyman offered the invocation.

**PLEDGE OF ALLEGIANCE**

Vice Chairman McNeill led in the reciting of the Pledge of Allegiance

**MISSION STATEMENT**

Board Member Scott McLeod read the Moore County Mission Statement.

**PUBLIC COMMENT PERIOD**

There was no public comment.

**APPROVAL OF THE CONSENT AGENDA**

- A. Approval of Meeting Agenda
- B. Approval of Minutes of April 7, 2016
- C. Consideration of Abstentions

Board Member Joseph Garrison motioned to approve the Consent Agenda and the motion was seconded by Board Member David Lambert. The motion passed unanimously (6-0).

## **PUBLIC HEARING(S)**

Vice Chairman McNeill introduced the public hearing as the following.

Pinesage Solar Farm, LLC is requesting a Conditional Use Permit to construct a commercial Solar Collector Facility on approximately 33.48 acres of an overall approximately 53.06 acre parcel (ParID 00018479) located north of NC Hwy 211, owned by McDonald Family Farms as identified in Moore County tax records.

Senior Planner Theresa Thompson stated the following as part of her presentation. "This request is to locate a solar collector facility approximately 1200' feet north of NC Hwy 211. The proposed area is currently undeveloped. The property was formerly utilized by NCDOT as a temporary construction site and borrow pit for the NC Hwy 211 widening project. Adjacent land uses include single family homes, undeveloped property, a church, and the future Pine Forest Planned Unit Development. The project area will comprise of approximately 33.45 acres of the 53 acre lot. The applicant is securing a 50' wide access easement to NC Hwy 211. NCDOT has issued a driveway permit to access NC Hwy 211. The site plan meets the UDO's screening requirements by utilizing Type 3 Screening, to the side and rear of the property adjacent to residentially zoned property. In addition to the minimum screening requirements, the applicant is installing Type 3 screening along all property lines including the front property line and the property lines abutting Commercial zoning districts, which is not a UDO requirement. The applicant is also installing all evergreen trees and shrubs which is not a UDO requirement. The UDO only requires half to be evergreen. The applicant is imposing these standards as additional conditions for approval as listed in the staff report. The proposed site plan meets all UDO requirements. In addition, the applicant has agreed that all specific use standards will be met as specified in the UDO which will be inspected by county staff before a Certificate of Occupancy is issued. The subject property was rezoned on February 16, 2016 to the Rural Agricultural Zoning District (RA). Tonight's request is a quasi-judicial case which follows a stricter procedure and is more objective than rezoning requests. Unlike rezoning requests, conditional use permits require 4 findings of fact to be met which are listed in the staff report. Any recommendation of denial would need to include which finding is not met and how it is not met. Staff recommends the additional condition, which has been agreed upon by the applicant and listed in the staff report, of installing a Type 3 screening buffer along all front, side, and rear property lines, as illustrated on the site plan. There may need to be minor adjustments made to the site plan therefore staff also recommends including an additional condition to the motion if approved as stated in the staff report that reads "Should the Zoning Administrator, Building Inspections, Environmental Health, NCDOT, or the Fire Marshal identify minor changes, staff shall be authorized to accept such minor modifications to the site plan as necessary.'"

Vice Chairman McNeill asked the Board if they had any questions. Board Member Buck Mims asked if there was any opposition from the surrounding property owners. Ms. Thompson stated that Staff did not receive any.

Vice Chairman McNeill called on Mr. Brian Quinlan to speak. Mr. Quinlan explained that he is present on behalf of the applicant and presented background on ESA

Management Services, INC as well as the property and its zoning of RA which permits a solar collector facility through the conditional use process. Mr. Quinlan discussed that he has worked with the Planning Department and by recommendation agreed along with the landowner to the type 3 screening all the way around the site. Mr. Quinlan continued to explain that a public meeting was held with the same residents that are notified by the County in October of 2015. Approximately 40 people were in attendance however one citizen who was present at the previous rezoning was unable to make this public hearing and in response was contacted directly to answer any questions. Mr. Quinlan explained the four findings of fact and how each are met with the request. In the review of the first finding of fact or “The use will not materially endanger the public health or safety if located where proposed and developed according to plan”; Scott McLeod asked what the solar panels are made up of. Mr. Quinlan through advisement of his staff stated the solar cell itself is mostly made up of silicone, there is glass on top, aluminum, and the substrate is a different type of silicone (EDA). Mr. Quinlan continued with a review of the conditions required per the Unified Development Ordinance. During the review of conditions Board Member McLeod asked if the same appraiser is used over and over and if the appraiser is local. Mr. Quinlan stated that he is local or county specific. Board Member McLeod asked for further clarification and Mr. Quinlan explained the appraiser is North Carolina based and not county based. Mr. Quinlan continued a review of the conditions and Board Member McLeod asked how it is possible to make the claim that it does not permanently impact the permeability of the land when you have harden structures that run at an angle that there is runoff from. Mr. Quinlan stated that we review the percentage of runoff and anything under 20% does not require management of the stormwater runoff and this site is under 10%. Board Member Mims asked Mr. Quinlan what his role was in the project and Mr. Quinlan stated that he a consultant with ESA Management Services, INC.

Vice Chairman McNeill asked if there was any more questions or discussions and if not we can entertain a motion.

Board Member Garrison made a motion to endorse the Moore County Board of Commissioners to approve the Conditional Use Permit for the use of a Solar Collector Facility on the parcel known as ParID# 00018479. The motion was seconded by Board Member David Lambert and the motion passed unanimously 6-0.

## **OTHER BOARD MATTERS**

No other board matters were discussed.

## **PLANNING DEPARTMENT REPORTS**

Planning Director Debra Ensminger stated that at the last pre-agenda meeting, the Board of Commissioners have requested that only one solar farm be placed on each agenda due to the length of each public hearing. Ms. Ensminger provided an update on the solar farms that have been previously approved by the Planning Board. Board Member Mims asked if there is a way to control the amount that is requested in the County. Ms.

Ensminger stated this can be done through text amendments to the UDO. Angus McDonald who was present for the public hearing as the landowner stated that it is already controlled to an extent whereas only a certain amount can be placed per substation. Ms. Ensminger stated that in the re-write of the UDO we will be changing some of the requirements like bonding through our experience in dealing with this type of use. Ms. Ensminger concluded that revenues are up and this is good for Moore County.

#### **BOARD COMMENT PERIOD**

No comments were made by the Board.

#### **ADJOURNMENT**

Board Member Garrison made a motion to adjourn. The motion was seconded by Board Member Hyman. The motion passed unanimously (6-0)

Respectfully submitted by,

Lydia Cleveland

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Enslinger  
Planning & Transportation Director

**DATE:** May 3, 2016

**SUBJECT:** Conditional Use Permit Request: Solar Collector Facility,  
Commercial (“HCE Moore II” – Stage Road)

**PRESENTER:** Theresa Thompson

**REQUEST**

HCE Moore II, LLC is requesting a Conditional Use Permit to construct a commercial Solar Collector Facility on approximately 27.5 acres of an overall approximately 127 acre parcel (ParID 00005347) located at 415 Stage Road, owned by William Richard Pressley as identified in Moore County tax records.

This case was properly advertised, a public hearing sign was posted on the property, and all adjacent property owners were notified.

**BACKGROUND**

- Planning staff contacted the Town of Carthage due to the close proximity of the property to the Town’s extra-territorial jurisdiction (ETJ). The Town Clerk, Karen O’Hara stated the Town has no concerns regarding the request.
- Current land use – There is currently one vacant stick built dwelling and two large metal storage containers within the project area (all 3 buildings will be removed as illustrated on the site plan). The use outside of the project area is agriculture (crops).
- Adjacent land uses – Include single family homes and agriculture (crops).

**REQUIRED FINDINGS**

In recommending the Conditional Use Permit the following findings must be met:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity;
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the approved Moore County Land Use Plan.



### **ADDITIONAL CONDITIONS**

1. The proposed site plan meets all Unified Development Ordinance requirements. In addition to the minimum requirements, the applicant has elected to preserve the 100 foot wide front vegetative buffer, as illustrated on the site plan.
2. The applicant has also elected to have the existing building and 2 barns removed, as illustrated on the site plan, prior to the issuance of a certificate of occupancy for the operation of a Solar Collector Facility.
3. Staff also recommends the additional condition, as agreed upon by the applicant, that should the Zoning Administrator, Building Inspector, Environmental Health, the Fire Marshal, or NCDOT identify minor changes staff shall be authorized to accept such minor modifications to site plan as necessary.

### **RECOMMENDATION**

Staff recommends the Moore County Planning Board make the following motion:

**Motion:** Make a motion to endorse the Moore County Board of Commissioners to approve/deny the Conditional Use Permit for the use of a Solar Collector Facility on the parcel known as ParID# 00005347.

### **ATTACHMENTS**

- Pictures of Property
- Vicinity Map
- Land Use Map
- Conditional Use Permit Application
- Submitted Site Plan

**View of property from Stage Road.  
The 100 foot wide front buffer will remain per the site plan.**



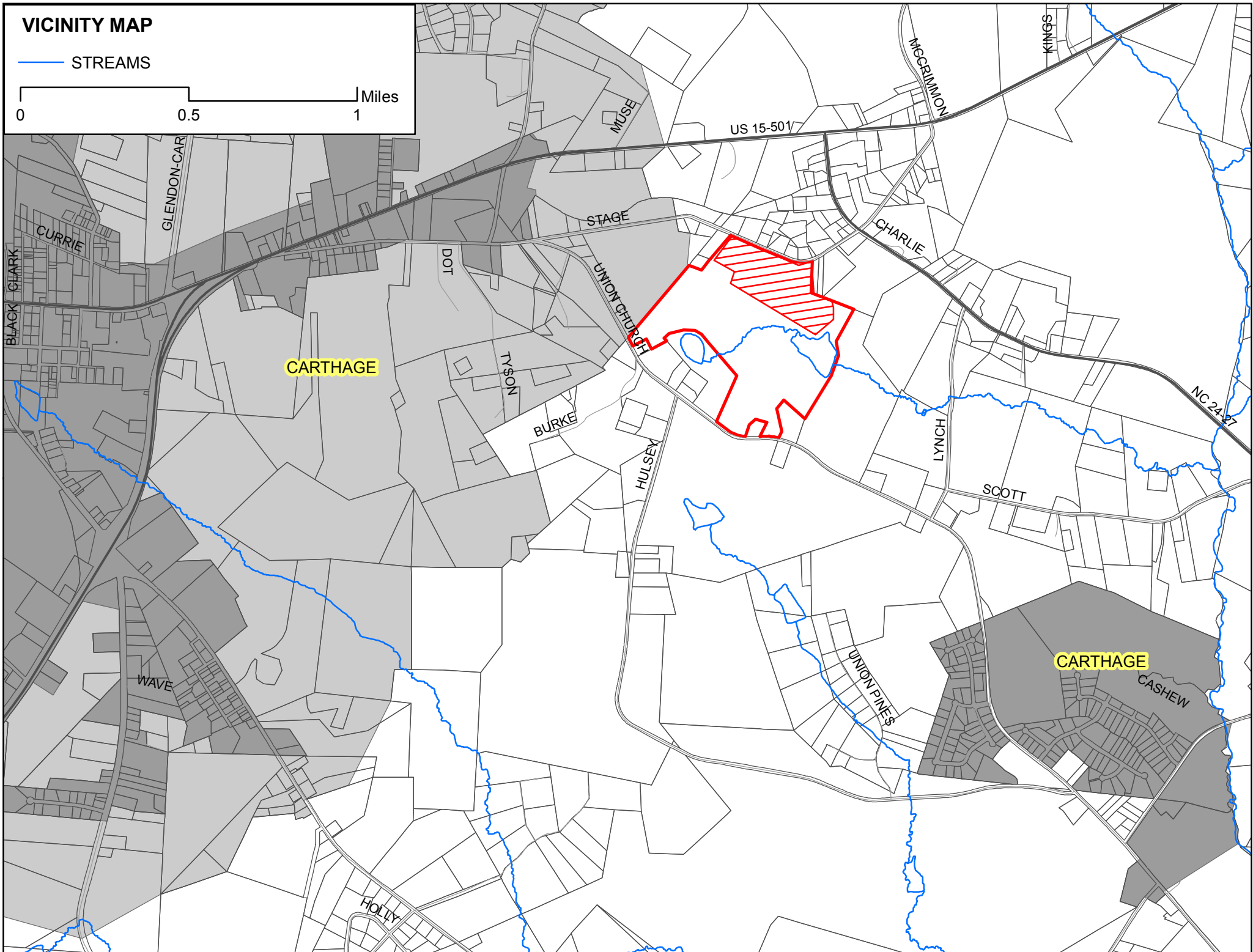
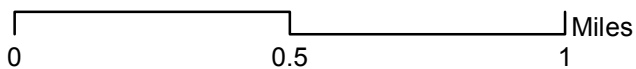
**View from the driveway abutting Stage Road.  
The 3 existing buildings will be removed per the site plan.**





# VICINITY MAP

— STREAMS





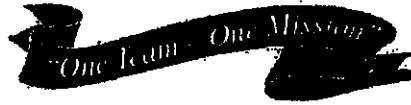
# LAND USE MAP

0 500 1,000 Feet



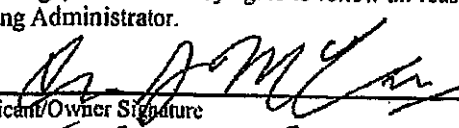
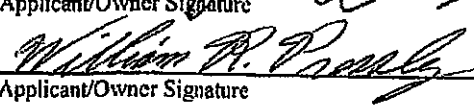
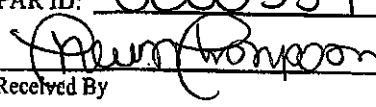


# PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905  
1048 Carriage Oaks Drive  
Carthage, NC 28327  
Planning: 910.947.5010  
Central Permitting: 910.947.2221  
Fax: 910.947.1303  
www.moorecountync.gov

## Conditional Use Permit Application

Application Date: April 25, 2016			
Location/Address of Property: 415 Stage Road, Carthage NC			
Applicant: HCE Moore II, LLC		Phone: 919.827.0039	
Applicant Address: 727 W. Hargett St. Suite 201	City: Raleigh	St: NC	Zip: 27603
Owner: William and Ida Pressley		Phone:	
Owner Address: 403 Saunders Street	City: Carthage	St: NC	Zip: 28327
Current Zoning District: RA	Proposed Use: Solar Collector Facility		
<b>Comments:</b> The solar farm construction will be required approval from the County and comply with local building codes and setbacks which are enforced and reviewed by local building officials and plan reviewers. A fence will be installed around the facility to keep safe from the site. Although 90% of the site contains natural vegetation, landscape buffers will be planted where there are no existing buffers to prevent view from the site. No waste or pollution is generated by the site.			
<b>Application Submittal</b> The applicant must submit a complete application packet on or before the submittal deadline. This includes: <input checked="" type="checkbox"/> Completed Moore County Conditional Use Permit Application. <input checked="" type="checkbox"/> Application Fee (\$175). <input checked="" type="checkbox"/> Postage sufficient to notify all adjacent landowners <b>FOR TWO MAILINGS</b> . (One for Planning Board meeting, and one for Board of Commissioners meeting.) The rate for postage <b>FOR EACH CERTIFIED MAIL LETTER</b> is \$6.49. This includes \$3.30 (certified mail) plus \$2.70 (return receipt) plus \$0.49 (first class stamp). <input checked="" type="checkbox"/> A detailed site plan. (See page two of this packet for list of items to include.)			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
 Applicant/Owner Signature		2/23/16 Date	
 Applicant/Owner Signature		2-25-16 Date	
<b>Office Use Only:</b> PAR ID: 00005347  Received By			
		4/28/16 Date	

April 18th, 2016

Theresa Thompson, Senior Planner  
Moore County Planning Department  
PO Box 905 / 1048 Carriage Oaks Drive  
Carthage, NC 28327  
Direct: 910-947-4598  
Main: 910-947-5010  
Fax: 910-947-1303

Dear Theresa Thompson,

**Re: UDO compliance Letter**

Please accept this letter as an additional condition that the design of HCE Moore II, LLC project complies with the required standards in UDO Sections 9.3.27-9.3.2714 as listed below.

- 9.3.2701 This type of use excludes any solar panels that are utilized or generating electricity for a residential property.
- 9.3.2702 Facilities shall be restricted to locations within three (3) miles of an existing or proposed electrical substation that can accommodate the proposed electrical production unless certification by a utility supplied engineer, from the utility with which the applicant has an interconnection agreement, establishes that voltage regulators or other devices are present allowing safe, efficient transmission of power over a greater distance. *(Amended Jan. 20, 2015)*
- 9.3.2703 A minimum building setback of fifty (50) feet, where abutting residential property and sixty-five (65) feet from public rights-of-way is required for ground-mounted systems. This excludes any proposed solar collector facility to be installed on an existing or proposed building.
- 9.3.2704 The photovoltaic (PV) panels are to be located and situated so glare does not create a distraction or nuisance to traffic or adjacent residential properties.
- 9.3.2705 Solar components must have a UL listing, or a listing from an alternative testing agency accepted by the local jurisdiction having authority over the project, and must be designed with anti-reflective coating(s).
- 9.3.2706 All construction shall be in compliance with the National Electric Code and North Carolina Building Code.
- 9.3.2707 No structure shall exceed a height greater than twenty-five (25) feet, except for existing poles and overhead wiring. This is measured from finished grade

at the base of the structure to its highest point. This would exclude any roof-mounted solar collection systems.

- 9.3.2708 Roof-mounted panels shall not extend beyond the perimeter of the building on which the system is mounted or constructed. The total height of the solar panels shall not exceed the maximum building height of the underlying zoning district.
- Pitched Roof Systems – For all roof-mounted systems, the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.
  - Flat Roof Systems – For all flat roof applications, a drawing shall be submitted depicting the overall layout of the panels with the distance to the roof edge and any parapets on the building.
- 9.3.2709 All power transmission lines from a ground mounted solar energy system shall be located underground, excluding existing utilities.
  - 9.3.2710 Inverter(s) shall be located a minimum one hundred and fifty (150) feet from any property line or public right-of-way.
- .3.2711 Where facility adjoins property used or zoned for residential purposes and public rights-of-way, a vegetative screen, either planted or naturally wooded area, shall be provided in accordance with §8.2 (Screening Requirements) of this Ordinance.
- 9.3.2712 Access to site must be controlled by a fence at least six (6) feet in height, with 24/7 emergency access. Mechanical equipment and inverter shall be fenced by a minimum six (6) foot fence with 3-strand barbed wire or razor wire or an eight (8) foot fence.
- 9.3.2713 In the event a solar collector facility becomes abandoned, the applicant must provide a way of ensuring the remaining solar infrastructure does not create a hazard to the public.
- a. If the applicant ceases operation of the energy facility or begins, but does not complete, construction of the project, the applicant shall restore the site according to a decommissioning plan approved by the Planning Department.
  - b. The Solar Collector Facility owner is required to notify Moore County immediately in writing upon abandonment or cessation of the solar operation. The owner shall be responsible for the decommissioning of the facility within six (6) months from the date the applicant ceases use of the facility or the facility becomes obsolete. A project is decommissioned when all structures and equipment are removed and the site is restored to its original state.
- 9.3.2714 The electrical disconnect switch shall be clearly identified and unobstructed at all times. The owner must file a map with the Moore County Public Safety

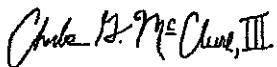


Department depicting where the disconnect switch is located, and supply all emergency contact information to emergency personnel to have on file.

We are excited to have the opportunity to work with Moore County and to develop the HCE Moore II, LLC project to deliver clean, renewable solar energy to Duke Energy.

Thank you for your guidance and I appreciate the cooperation of the Planning Department to make this project come to fruition!

Sincerely,

A handwritten signature in cursive script that reads "Charles G. McClure, III".

Charles G. McClure, III

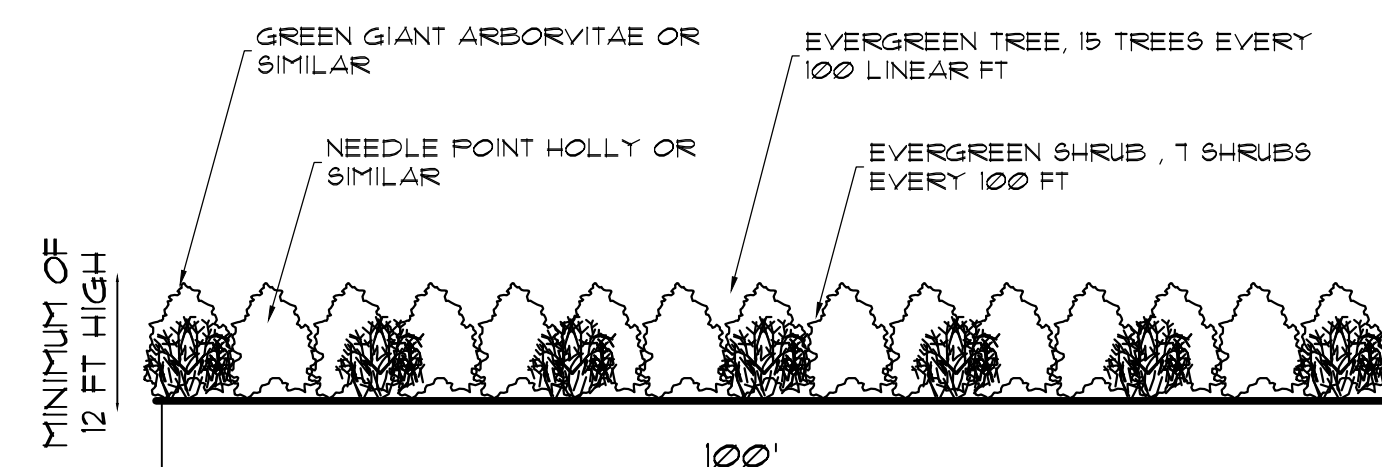
Manager  
HCE Moore II, LLC  
(o) 919 829 0037 x104  
(c) 919 649 2277



Number of Modules: 22,534  
Peak Power: 6,985,540 Wp DC  
Number of Inverters: 3 SMA SC1850  
Parcel Total Area: TBD acres  
Intended PV Leased Area: 27.5 acres

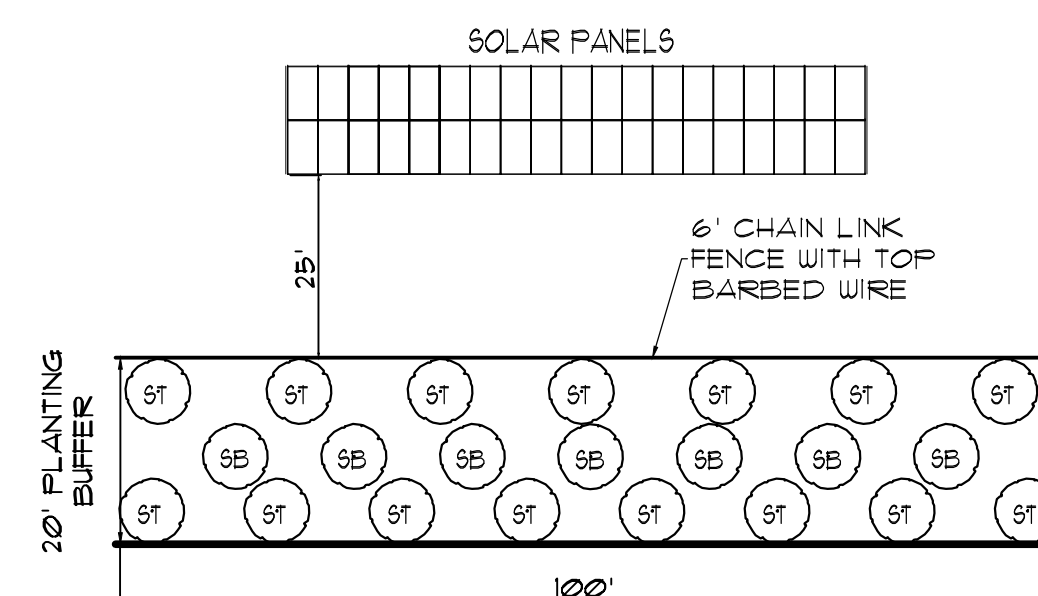
PROJECT OWNER:  
HCE Moore II, LLC  
4150 St Johns Pkwy, Ste 1000  
Sanford, FL 32771

SITE LOCATION:  
(35°20'N, 79°22'W)



PLANTING LAYOUT TYPE 3. Front view  
(Natural landscaping will be enhanced as  
necessary to ensure it meets Type 3  
requirements)

SCALE 1/200

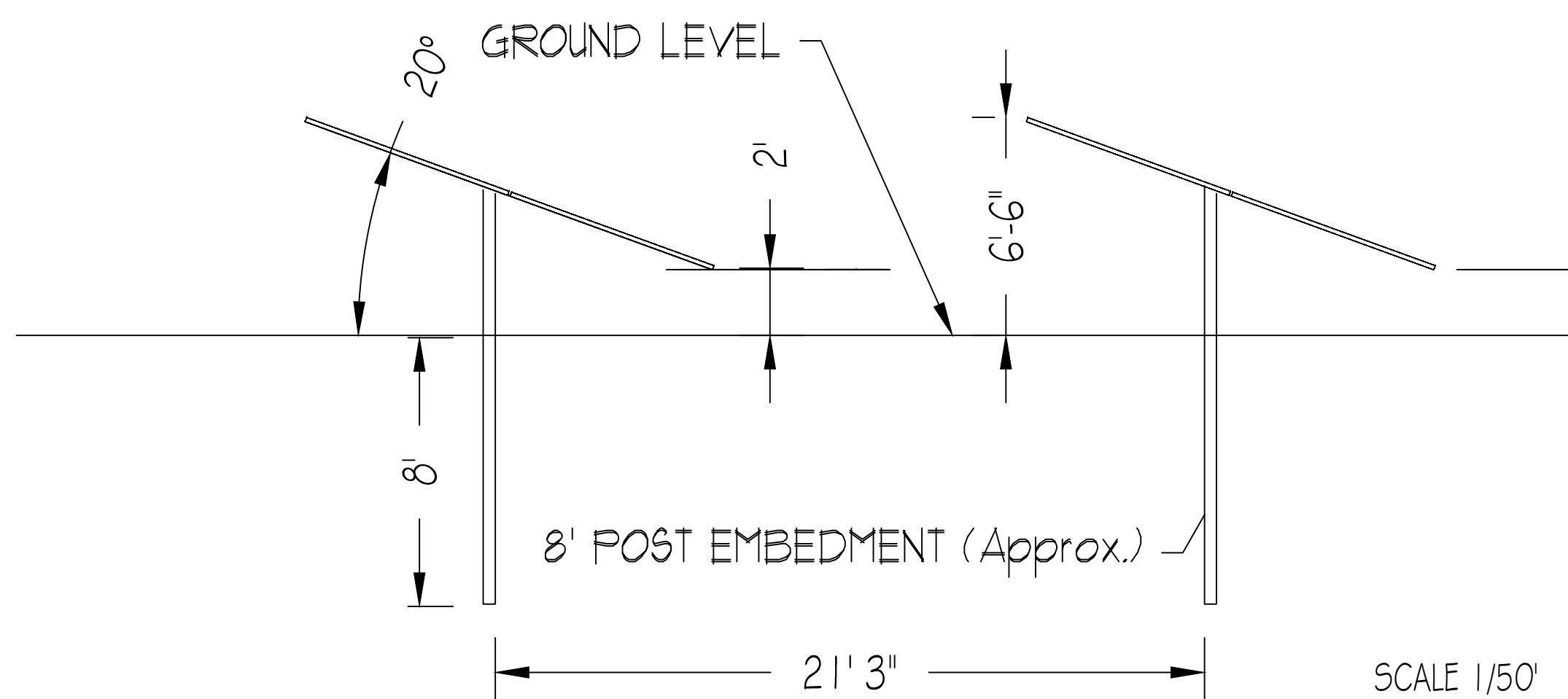


PLANTING LAYOUT. Top view

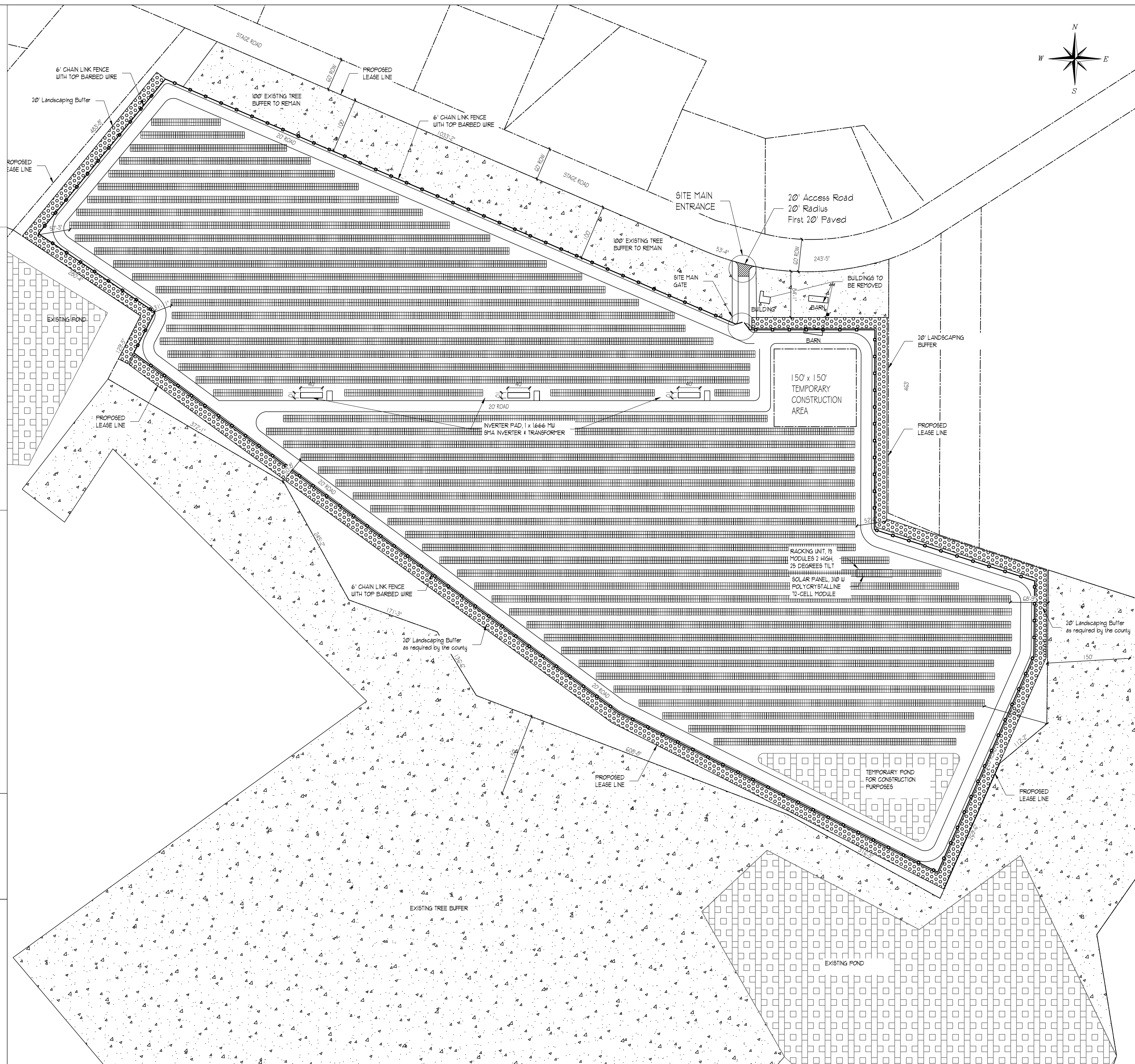
TYPICAL LANDSCAPE PLAN TYPE 3

- 15 evergreen trees and 7 evergreen shrubs per 100 linear feet 20 feet wide. Trees to reach out a minimum height of twelve (12) feet in three (3) years. Shrubs to grow to a height of two (2) feet in two (2) years.
- Setbacks from property line to the fence will be covered with existing vegetation to be used as existing landscape buffer.
- Evergreen Tree: Green Giant Arborvitae or similar.
- Evergreen Bush: Needle Point Holly or similar.
- Natural landscaping will be enhanced as necessary to ensure it meets type 3 requirements

SCALE 1/250



SCALE 1/50'

[illegible]